

ORDINANCE NO. 14845

FILE OF CITY COUNCIL

BILL NO. 75 - 2010

INTRODUCED BY THE ADMINISTRATION

NOVEMBER 3, 2010

AN ORDINANCE

Amending Article 395, Community and Economic Development Fees, by increasing Zoning, Land Development and Subdivision Fees.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ALLENTOWN:

SECTION ONE: That Article 395.05, Zoning Fees, be amended to read as follows:

395.05 ZONING FEES:

Zoning:

1. Permit. The Bureau of Planning and Zoning shall charge a fee of ~~Thirty-Five (\$35)~~ Fifty (\$50) Dollars for the issuance of a zoning permit.

2. Appeals. Any appeal to the Zoning Hearing Board, whether for a variance, special exception, non-conforming use or structure, ordinance interpretation or otherwise shall be subject to a fee of ~~Three Hundred Seventy-five (\$375)~~ Four Hundred Fifty (\$450) Dollars except, however, that the fee shall be ~~One Hundred Twenty-five (\$125)~~ One Hundred Forty (\$140) Dollars for an appeal related to premises used solely as a single family dwelling unit and occupied or to be occupied solely by the legal or equitable owner thereof and members of the owner's household).

3. Continuances. An applicant and/or interested party who requests a continuance of an appeal before the Zoning Hearing Board after said appeal was duly advertised, shall be subject to a fee of ~~One Hundred Sixty (\$160)~~ Three Hundred (\$300) Dollars, except, however, that the fee shall be ~~One Hundred Twenty-five (\$125)~~ One Hundred Forty (\$140) Dollars for a continuance related to premises used solely as a single family dwelling unit and occupied or to be occupied solely by the legal or equitable owner thereof and members of the owner's household.

4. Rehearings. ~~An applicant and/or interested party who requests a rehearing of an application previously acted upon by the Zoning Hearing Board shall be subject to a fee in the amount of the original fee paid pursuant to paragraph 2 above.~~ Preliminary Opinion. An applicant and/or interested party who requests a Preliminary Opinion of the Zoning Officer shall be subject to a fee in the amount of Four

Hundred Fifty (\$450) Dollars.

5. Temporary signs (ten or more). For ten (10) or more signs to be posted, a permit must be obtained in the Zoning Office stating the name, address, telephone number and purpose of the sign and must be accompanied by a fee of Thirty-five (\$35) Dollars.

6. Zoning Certifications. Requests for written certificates as to the zoning compliance of a property shall be accompanied by a fee of ~~Thirty-five (\$35)~~ Fifty (\$50) Dollars.

7. Rezoning. Requests for rezonings shall be subject to a Five Hundred (\$500) Dollar fee.

SECTION TWO: That Article 395.06, Land Development and Subdivision Fees, be amended to read as follows:

395.06 LAND DEVELOPMENT AND SUBDIVISION FEES:

Major Subdivisions:

1. Sketch Plan. The application fee for review of a sketch plan shall be ~~Fifty-five (\$55)~~ One Hundred (\$100) Dollars.

2. Preliminary Plan. The application fee for review of a preliminary plan shall be ~~Two Hundred Twenty (\$220)~~ Two Hundred Ninety (\$290) Dollars plus ~~Thirty (\$30)~~ Forty (\$40) Dollars for each lot.

3. Final Plan. The application fee for review of a final plan for major subdivisions shall be ~~Two Hundred Twenty (\$220)~~ one-half of preliminary plan.

Minor Subdivisions:

The application fee for review of final plans for a minor subdivision shall be ~~One Hundred Ten (\$110)~~ One Hundred Forty (\$140) Dollars plus ~~Thirty (\$30)~~ Forty (\$40) Dollars per lot.

Major Land Developments:

1. Sketch Plan. The application fee for review of a sketch plan for major land developments shall be ~~Fifty-five (\$55)~~ One Hundred (\$100) Dollars.

2. Preliminary Plan. The application fee for a review of a preliminary plan shall be ~~Two Hundred Seventy-five (\$275)~~ Three Hundred Fifty (\$350) Dollars plus ~~Ninety (\$90)~~ One Hundred Fifteen (\$115) Dollars per acre or partial acre.

3. Final Plan. The application fee for review of a final plan for major land development plans shall be ~~Two Hundred Twenty (\$220)~~ one-half of preliminary plan.

Minor Land Developments:

The application fee for review of final plans for minor land development shall be ~~Two Hundred Fifty (\$250)~~ Three Hundred Fifteen (\$315) Dollars.

SECTION THREE: That this Ordinance will take effect January 1, 2011.

SECTION FOUR: That all Ordinances inconsistent with the above provisions are repealed to the extent of their inconsistency.

	Yea	Nay
W. Michael Donovan	X	
Jeanette Eichenwald	X	
Julio A. Guridy	X	
Ray O'Connell	X	
Michael Schlossberg	X	
Peter G. Schweyer	X	
Michael D'Amore, President	X	
TOTAL	7	0

I hereby certify that the foregoing Ordinance was passed by City Council on December 1st and signed by the Mayor on December 3rd, 2010.


CITY CLERK

LEGISLATIVE TEMPLATE

Instructions:

- E-mail the Bill to Ken Bennington and Barbara Molitoris by the 2nd or 4th Monday of each month – bennington@allentowncity.org and molitoris@allentowncity.org to be placed on the following Council meeting agenda. The request will be sent back if the pertinent information is not supplied. Supporting Documents should be included in the e-mail and attached to the bill if necessary. Examples of supplemental information include petitions, maps, reports, rezoning petitions. We will track the bill and fill in the underlined sections.

Template for Bills and Resolutions:

- **What Department or bureau is Bill originating from? Where did the initiative for the bill originate?**

Department of Community and Economic Development, Bureau of Planning and Zoning.

- **Summary and Facts of the Bill**

The bill seeks to raise the fees charges for various zoning and subdivision applications.

- **Purpose – Please include the following in your explanation:**
 - **What does the Bill do – what are the specific goals/tasks the bill seek to accomplish**
 - **What are the Benefits of doing this/Down-side of doing this**
 - **How does this Bill related to the City's Vision/Mission/Priorities**

The proposed fees are intended to compensate the city for its costs in processing these applications. These fees have not been increase since April, 2006.

- **Financial Impact – Please include the following in your explanation:**
 - **Cost (Initial and ongoing)**
 - **Benefits (initial and ongoing)**

There is no cost associated with the bill. The increased fees will allow for the city to be reimbursed for its out-of-pocket costs associated with the operation of the Zoning Hearing Board and to at least partially cover the staff costs associated with the review of subdivisions and land developments.

- **Funding Sources – Please include the following in your explanation:**
 - **If transferring funds, please make sure bill gives specific accounts; if appropriating funds from a grant list the agency awarding the grant.**

N/A

- **Priority status/Deadlines, if any**

Projected increase in revenue is included in revenue estimates for 2011.

- **Why should Council unanimously support this bill?**

Fees are a usual and customary expense for developers and property owners wishing to develop or make changes to their property. The fees are in line with our costs and other Pennsylvania municipalities.

- **Committee Action**
- **Public Comments**
- **Body/Text of the Bill**
- **Exhibits**
- **Vote**